

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Deutsche Bank Trust Company Americas, in its capacity as successor
indenture trustee for certain of Senior notes, et al

INDEX#: 1:11-CV-04784-RJH

against

Plaintiff(s)

Adaly Opportunity Fund TD Securities Inc. c/o Adaly Investment Management
Co.,

Defendant(s)

AFFIDAVIT OF SERVICE

State of Florida }
County of Palm Beach } ss.:

The undersigned, being duly sworn, deposes and says;

Deponent is not a party herein, is over 18 years of age and resides in the state of Florida

That on 11/8/2011 at 4:10 PM at 2665 North Ocean Blvd, Gulf Stream, FL 33483

deponent served a(n) Summons in a Civil Action, Second Amended Complaint and New York Amended Exhibit A

on Charles E. Hugel defendant therein named,

by delivering a true copy of each to said defendant personally;

deponent knew the person so served to be the person described as said defendant therein.

Description of Person Served:

Gender: Male

Skin: White

Hair: Gray

Age: Over 65 Yrs.

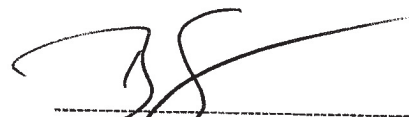
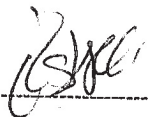
Height: 5' 9" - 6' 0"

Weight: 161-200 Lbs.

Other: Glasses

MILITARY SERVICE: Person spoken to was asked whether the recipient was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

Sworn to before me this 11/15/11


Barry Wolf
Licensed No. 826

OLGA ESTORNELL
MY COMMISSION # DD 952390
EXPIRES: March 13, 2014
Bonded Thru Budget Notary Services

Serving By Irving, Inc. | 233 Broadway, Suite 2201 | New York, NY 10279